

DECLARATION  
AND POWER OF ATTORNEY

RECEIVED

OCT 17 2002

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

TECH CENTER 1600/2900

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CONJUGATE FOR DIFFERENTIATING BETWEEN HEALTHY AND UNHEALTHY TISSUE

and for which a patent application:

- ☒ is attached hereto and includes amendment(s) filed on (if applicable)  
☐ was filed in the United States on as Application No. (for declaration not accompanying application)  
with amendment(s) filed on (if applicable)  
☒ was filed as PCT international Application No. PCT/DE98/02102 on 22 July 1998 and was amended under PCT Article 19 on 9 August 1999 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
197 31 741.3	Germany	23 July 1997	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), and Alan Tenenbaum (Reg. No. 34939), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

**SEND CORRESPONDENCE TO:**
**PENNIE & EDMONDS LLP**  
**1155 Avenue of the Americas**  
**New York, N.Y. 10036-2711**
**DIRECT TELEPHONE CALLS TO:**  
**PENNIE & EDMONDS LLP DOCKETING**  
**(212) 790-2803**

201	FULL NAME OF INVENTOR	LAST NAME SINN	FIRST NAME Hanns Jörg	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Wiesloch	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Ahornweg 10	CITY Wiesloch	STATE OR COUNTRY Germany	ZIP CODE 69168
202	FULL NAME OF INVENTOR	LAST NAME SCHRENK	FIRST NAME Hans-Hermann	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Zeiskamm	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Mittelgasse	CITY Zeiskamm	STATE OR COUNTRY Germany	ZIP CODE 67278
203	FULL NAME OF INVENTOR	LAST NAME WUNDER	FIRST NAME Andreas	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Eppelheim	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Joh.-Seb.-Bach-Str. 18	CITY Eppelheim	STATE OR COUNTRY Germany	ZIP CODE 69214
204	FULL NAME OF INVENTOR	LAST NAME STEHLE	FIRST NAME Gerd	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Heidelberg	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Edinger Str. 11	CITY Heidelberg	STATE OR COUNTRY Germany	ZIP CODE 69123
205	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
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	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 <b>Hanns Jörg Sinn</b>	SIGNATURE OF INVENTOR 202 <b>Hans-Hermann Schrenk</b>	SIGNATURE OF INVENTOR 203 <b>Andreas Wunder</b>
DATE	DATE	DATE
SIGNATURE OF INVENTOR 204 <b>Gerd Stehle</b>	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

2785 - P 250

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## CONJUGATE FOR DIFFERENTIATING BETWEEN HEALTHY AND UNHEALTHY TISSUE

and for which a patent application:

☐ is attached hereto and includes amendment(s) filed on (if applicable)☒ was filed in the United States on January 21, 2000 as Application No. 09/463,474 (for declaration not accompanying application)

with amendment(s) filed on (if applicable)

☒ was filed as PCT international Application No. PCT/DE98/02102 on 22 July 1998 and was amended under PCT Article 19 on 9 August 1999 (if applicable)

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204	FULL NAME OF INVENTOR	LAST NAME STEHLE	FIRST NAME Gerd	MIDDLE NAME
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	POST OFFICE ADDRESS	STREET Edinger Str. 11	CITY Heidelberg	STATE OR COUNTRY Germany
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	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY

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SIGNATURE OF INVENTOR 01 Hanns Jörg Sinn	SIGNATURE OF INVENTOR 02 Hans-Hermann Schrenk	SIGNATURE OF INVENTOR 03 Andreas Wunder
DATE 15.05.00	DATE 15-05-00	DATE 29.05.00
SIGNATURE OF INVENTOR 04 Gerd Stehle	SIGNATURE OF INVENTOR 05	SIGNATURE OF INVENTOR 06
DATE 18.5.2000	DATE	DATE